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**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q59209

Michio KANEKO

Appln. No.: 09/576,324

Group Art Unit: 2661

Confirmation No.: 2038

Examiner: Andrew W. WAHBA

Filed: May 22, 2000

For: APPARATUS AND METHOD FOR TRANSMITTING CONSTANT BIT RATE DATA CELLS, CONTROLLING TRANSMISSION OF DATA CELLS TO PREVENT HEAD DATA CELLS FROM BEING SENT OUT THROUGH THE CONTINUOUS SLOTS OF THE TRANSMISSION CYCLE

**NOTICE OF APPEAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final Office Action dated June 29, 2004.

A check for the statutory fee of \$500.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: December 29, 2004